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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

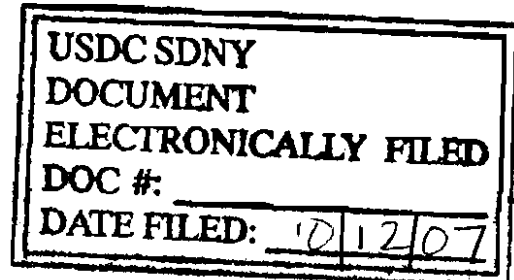
-----X  
RAYMOND VAN COTT,

Plaintiff,

-against-

MELLON FINANCIAL CORPORATION,

Defendant.  
-----X



PLAINTIFF'S NOTICE OF CROSS-  
MOTION TO AMEND THE  
COMPLAINT & JOIN A PARTY

(MGC)

2007 Civ. 5578 (MGC)(RLE)

ECF FILED

Upon the annexed declaration of Tracey S. Bernstein, Esq. and, sworn to on the 5<sup>th</sup> day of September, 2007; the memorandum of law in support of this cross-motion; all pleadings filed in this case, plaintiff Raymond Van Cott ("plaintiff") hereby moves this Court, pursuant to Federal Rules of Civil Procedure Rules 15 and 19 for an order granting plaintiff leave to file an amended complaint and join the Mellon Financial Corporation Displacement Program as a party to this action.

This motion shall be heard at the United States Courthouse, Room 14A, 500 Pearl Street, New York, New York at 10:15 in the forenoon on September 27, 2007, or at such other time as this Court directs.

*Motion granted subject to stipulated Conditions.*  
*So ordered.*  
*October 11, 2007*

*United States District Judge*